# **EXHIBIT A**

EXHIBIT A

## **APPENDIX 14**

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### **EXHIBIT B**

DISTRICT OF MASSACHUSETTS
CENTRAL DIVISION

# UNITED STATES DISTRICT COURT

) CIVIL ACTION NO. 04-40092-FDS
)
) Jonathan R. Sigel, BBO# 559850
) Kathryn E. Abare-O'Connell, BBO# 647594

#### AFFIDAVIT OF KATHRYN E. ABARE-O'CONNELL, ESQ.

- I, Kathryn E. Abare-O'Connell, do depose and swear as follows:
- I am an attorney at Bowditch & Dewey, LLP, which represents Defendant,
   Simonds Industries Inc.
- On November 7, 2002, Defendant produced documents in response to
   Complainant's First Request For Production Of Documents in the Massachusetts Commission
   Against Discrimination ("MCAD") action which preceded this litigation.
- 3. Document Request No. 8 of Complainant's First Request For Production Of Documents in the MCAD matter requested the following:

Any and all documents referring to, relating to or regarding any alleged RIF for five (5) years prior to Charging Party's termination to the present time, including but not limited to, notes, memos, procedures, policies.

- 4. In response to Document Request No. 8, Defendant produced approximately two-hundred (200) pages.
- 5. Among the documents produced by Defendant in response to Document Request No. 8 were the documents attached hereto as <a href="Exhibit 1">Exhibit 1</a>.

6. The documents attached as <u>Exhibit 1</u> were not produced as one document, but were instead separated by approximately one hundred thirty (130) pages.

Signed under the pains and penalties of perjury this 4th day of January, 2006.

Kathryn E. Abare-O'Connell (BBO# 647594)

Bowditch & Dewey, LLP

311 Main Street, P.O. Box 15156

Worcester, MA 01615-0156

Tel. No.: (508) 926-3651 Fax No.: (508) 929-3071

Date: January 4, 2006

# EXHIBIT 1

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